

PUBLIC ACCESS ROOM

A division of the Legislative Reference Bureau

N E W S L E T T E R

Hawaii State Capitol ♦ 415 South Beretania Street ♦ Room 401 ♦ Honolulu, Hawaii 96813

Phone: (808) 587-0478 ♦ Fax: (808) 587-0793 ♦ Email: par@capitol.hawaii.gov**Legislative
Timetable****January**

15th Opening Day.
21st State-of-the-State
Address.
23rd One day recess.
24th Last day for introduction
of bills.

February

14th First Lateral.
20th -26th Mandatory 5 day
recess.
28th Filing Deadline for First
Decking

March

3rd One day recess.
5th One day recess.
6th First Crossover.
12th Last day to introduce
substantive resolutions.
21st Second Lateral.

April

4th Filing deadline for Second
Decking.
7th One day recess.
9th One day recess.
10th Second Crossover.
Last day to Disagree.
15th One day recess.
17th Deadline for final form
of constitutional amend-
ments.
21st Second Crossover for
concurrent resolutions.
24th Last day to file non-fiscal
bills to deck for Final
Reading.
25th Last day to file fiscal bills
to deck for Final Reading.
28th One day recess.
30th One day recess.

May

1st Adjournment Sine Die.

CONTACT US:

Public Access Room

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The following measures are just a sampling of the many bills that are progressing through the legislature for this session. A brief description of the bill is followed by an excerpt from a committee report. This information should give you an idea of the bill's intent and the rationale behind its introduction and passage. We have selected measures that have had a high volume of testimony and inquiries through our office. While many citizens may have specific concerns that they deem important, we cannot include all of the measures that remain alive. We ask that if you are interested in a specific bill or topic and would like more information on the subject, that you call the Public Access Room at 587-0478. We have expert staff and researchers that may be able to help.

**HEALTH****SB1088-Relating to Long-Term Care**

Establishes a long term care income tax. Provides that the tax shall go to the long term care benefits fund. Provides that long term care benefits paid shall be excluded from income tax. Provides a long term care income tax credit to a taxpayer who has paid the long term care income tax and has made premium payments for a long term care insurance policy. Requires the board of trustees of the long term care financing program to prepare an actuarial report and opinion and report to the legislature and governor. Exempts the benefits fund from contributing to the central service and administrative expenses of the government. Amends provisions relating to the long term care financing program investments. Authorizes the board of trustees of the long term care financing program to make investments with sufficient liquidity to allow market transactions to meet expected payout requirements without substantial loss in value or unreasonable delay. Requires the fund to reimburse the general fund after a 5 year period from July 1, 2005. Appropriation to the department of taxation for start up costs to collect the tax. Appropriation to the department of budget and finance for start up costs to administer the tax. (\$\$)— SB1088 HD1

HSCR359 (House Committee on Health and the House Committee on Human Services and Housing)

“Your Committees recognize that Hawaii is facing a long-term care crisis. Although private long-term care insurance is available, only a small percentage of individuals have purchased it. Private long-term care insurance is unaffordable for many people.”

SB 658-Relating to Emergency Contraceptives for Sex Assault Survivors in Emergency Rooms

Establishes provision relating to emergency contraceptives for sexual assault survivors. Requires hospitals that provide emergency care to sexual assault survivors to provide each sexual assault survivor with written and oral information about emergency contraception, inform each survivor of her option to receive emergency contraception at the hospital, and provide emergency contraception immediately at the hospital to each sexual assault survivor who requests it. Provides that the cost of the emergency contraception dispensed shall be

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paid by the department of health. Further requires the department to respond to complaints and to determine whether hospitals are complying with this provision. — SB0658 HD2

HSCR 929 (House Committee on Health)

"Your Committee finds that individuals do not always have easy access to emergency contraceptives. Emergency contraceptives must be taken within 72 hours of sexual intercourse to be most effective. Your Committee is especially concerned that there are a large number of unreported sexual assaults. Individuals who report sexual assaults are generally given information about emergency contraception, but it is estimated that for every reported sexual assault, there are many more that remain unreported."

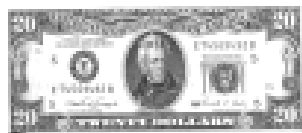
"Statistics estimate that 300,000 women are sexually assaulted each year in the United States, and approximately 25,000 of those women become pregnant as a result. Approximately 22,000 of those pregnancies could be prevented if all sexually assaulted women used emergency contraceptives."

HB123-Relating to the Practice of Pharmacy

Amends provisions relating to pharmacy to include emergency contraception. Redefines the practice of pharmacy to include initiating emergency contraception oral drug therapy, between a licensed physician and a pharmacist having appropriate training. Changes licensed medical doctor to licensed physician. Redefines contraceptive services within accident and sickness insurance contract provisions to include pharmacist delivered medical services. — HB0123 SD1

HSCR 625 (House Committee on Consumer Protection and Commerce)

"Your Committee finds that the Food and Drug Administration approved emergency contraception products in 1998 and 1999 based on data that showed these products to be very safe and effective. Currently, emergency contraception may be obtained over the counter without a prescription in England, France, Denmark, Sweden, Belgium, Alaska, California, and Washington. Your Committee finds that following approval of legislation enabling over-the-counter dispensing in Washington, the state experienced a significant savings of \$22,000,000 in Medicaid expenditures over a six-year period for families in the Temporary Assistance to Needy Families Program."



TAXES

HB510-Relating to Government

Increases the general excise tax and use tax from 4 per cent to 4 1/2 per cent. Provides a food income tax credit. Provides that 120 million dollars shall be deposited into the education special fund each year. Establishes the education special fund into which shall be deposited the 120 million dollars and which shall be used solely for the support of public schools and the University of Hawaii. Provides that 90 per cent shall go to the department of education and 10 per cent to the university. Provides that for public schools the funding shall be used for each

of the 42 school complexes on a per pupil basis, for repair and maintenance for each school, and other funding for the schools as the legislature deems appropriate. Appropriation out of the special fund. Act to be repealed on December 31, 2013 (sunset). (\$\$) — HB0510 SD2

SSCR1426 (Senate Committee on Ways and Means)

"The purpose of this measure is to repeal Part II of Act 90, Session Laws of Hawaii 2001, that provides authorization for the State and counties to engage in privatization."

"Your Committee has replaced the contents of the bill with provisions to raise the general excise tax by one-half per cent and appropriating the proceeds to finance necessary programs in lower and higher education."



CRIME & SAFETY

HB297-Relating to Drugs

Appropriation to the department of health, alcohol and drug abuse division for the establishment of an adolescent treatment center to treat poly drug abuse on the island of Hawaii and for community anti drug efforts aimed at preventing crystal methamphetamine use on the island of Hawaii. Appropriation to the city and county of Honolulu, Hawaii county, Maui county, and Kauai county as grants for programs to prevent and treat crystal methamphetamine use. Amends Act 203, session laws of 1995 by changing the effective date to upon approval. (\$\$) — HB0297 SD2

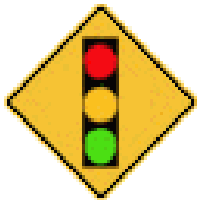
SSCR 1064 (Senate Committee on Judiciary and Hawaiian Affairs)

"Your Committee finds that crystal methamphetamine or "ice" abuse is a problem of epidemic proportions across the State. "Ice" abuse affects not only the user's health, but also burdens the"

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"State's health and human services resources. "Ice" abuse often leads to debilitating diseases, child abuse or neglect, unemployment, and increased property crimes."

"Your Committee further finds that the island of Hawaii is experiencing a serious "ice" problem. The Hawaii County Police Department reports a 431% increase in "ice" arrests from 1997 to 2000. Child Protective Services reports that over 90% of cases on the Big Island are "ice" or drug related."



TRAFFIC

SB464-Relating to Implementation of a Fixed Rail Transit System

Requires the department of transportation in conjunction with the Oahu Metropolitan Planning Organization and the city and county of Honolulu to develop an action plan for the implementation of a fixed rail transit system for Oahu. Report to the legislature. — SB0464 HD2

SSCR287 (Senate Committee on Transportation, Military Affairs and Government Operations)

"Despite the fact that every resident of Oahu agrees that the automobile traffic congestion here is unbearable, your Committee finds that our island still lacks any viable, broad-scale mass transit system."

Your Committee is aware that the City and County of Honolulu has accelerated plans to implement the Bus Rapid Transit system, but there is much disagreement in the transportation engineering community about whether such a system is practical for Oahu, and whether such a system will actually decrease traffic congestion."



GOVERNMENT

SB459- Relating to Campaign Spending

Restores integrity in elections by prohibiting a person from soliciting or receiving campaign donations on government property; prohibiting a government contractor with contracts in excess of \$25,000 in the aggregate from making a contribution; prohibiting contributions from corporations and labor organizations except through a separate segregated fund; prohibiting the use of campaign contributions for personal expenses; revising the amounts of campaign contributions; defining the ownership interest in a corporation as twenty-five percent for purposes of campaign contribution limits by

individuals; amending registration requirements for candidates seeking reelection; clarifying that excess contributions must be returned within thirty days or it will escheat to the Hawaii election campaign fund; making falsifying reports with intent to circumvent the law or deceive a class C felony; eliminating public funding for candidates in special elections; repealing the fundraiser limitations; and requiring the commission on campaign spending to establish a schedule of administrative fines for violations. - SB0459 HD1

HSCR 1412 (House Committee on Judiciary)

"The purpose of this bill as received is to reform numerous provisions of the campaign spending laws to enhance accountability and public confidence in elected officials."

"The League of Women Voters and the Green Party of Hawaii testified in support of and opposition to various provisions of the bill. Advocates for Consumer Rights opposed the bill. The Campaign Spending Commission and University of Hawaii Professional Assembly commented on various provisions of the bill and offered amendments."

"Your Committee has amended the bill by deleting the text of S.B. 459, S.D. 1, and inserting the text from H.B. 284, H.D. 1"

APRIL 10th, 2003 - Second Crossover

April 10th marks Second Crossover for this session. It is the deadline by which bills must be passed by the receiving body (House Bills must be passed by the Senate and Senate Bills must be passed by the House) in order to progress through the Legislature for this year. The floor sessions for third reading on the vast majority of these measures will be held on Tuesday, April 8th, 2003. There are 232 bills slated for third reading (130 House Bills and 102 Senate Bills). This is a relatively paltry sum compared to the past two years - 352 in 2001 and 307 in 2002. In 2002, there were 263 bills that were passed into law. Using these numbers, we see a 24% decrease in the volume of bills that are alive compared to this same point last year.

Much of the reason for the drastic reduction can be attributed to the State's budgetary shortfall. With the lack of available funds, the Legislature cannot implement new programs or services. As a result, bills that create new programs and government functions have been tabled as the State evaluates its priorities.

HOW TO DO A TEXT SEARCH ON MEASURES FOR 2003

To find information on a bill or resolution, you can do a text search on a specific topic at the Hawaii State Legislature's website at: www.capitol.hawaii.gov

Step 1:

Located on the right-hand side, click on the link **Bill Status and Documents**.



Step 2:

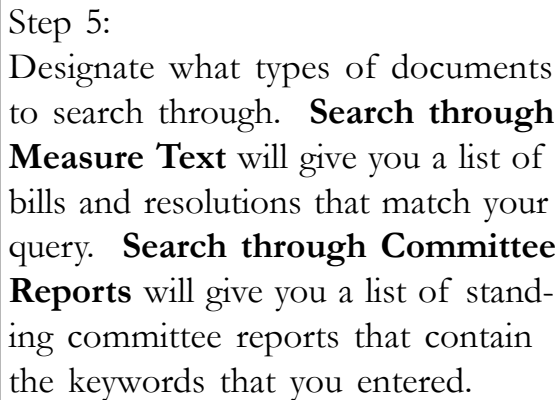
Go to the first box located on the left-hand side, **2003 Regular Session Bill and Resolution Status, Text, and Committee Reports**.



Step 3:

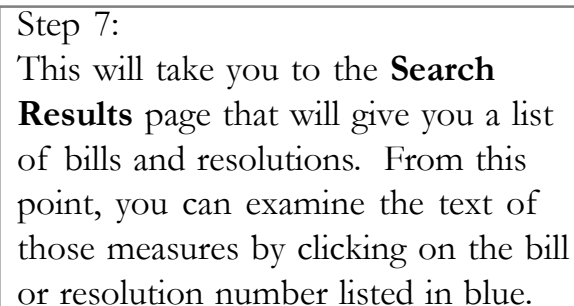
Click on the blue link labeled **Do a text search**.

Type in the keywords for a particular bill or resolution. For example, if you are searching for a bill or resolution on gambling. Type ‘gambling’ in the blank space provided. (To ensure that your search is thorough, enter other keywords that are associated with the issue of gambling, such as ‘lottery’ or ‘gaming’.)



Designate what types of documents to search through. **Search through Measure Text** will give you a list of bills and resolutions that match your query. **Search through Committee Reports** will give you a list of standing committee reports that contain the keywords that you entered.

When you have entered a keyword and designated **Search through Measure Text** or **Search through Committee Reports**, then click on the **Search** button.



This will take you to the **Search Results** page that will give you a list of bills and resolutions. From this point, you can examine the text of those measures by clicking on the bill or resolution number listed in blue.